

S.J.R. NO. 129

BY

J. B. [Signature]

A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO ARTICLE XI OF THE
CONSTITUTION OF THE STATE OF TEXAS BY ADDING
A NEW SECTION 5(a) TO SAID ARTICLE XI, TO AU-
THORIZE CITIES, TOWNS, AND VILLAGES TO LEVY
SUCH AD VALOREM TAXES AS ARE SUFFICIENT TO
PAY THE PRINCIPAL OF AND INTEREST ON THEIR
GENERAL OBLIGATIONS HEREAFTER LAWFULLY ISSUED;
PLACING RESTRICTIONS ON THE ISSUANCE OF SUCH
GENERAL OBLIGATIONS; AND PROVIDING FOR THE
SUBMISSION OF SAID CONSTITUTIONAL AMENDMENT
TO A VOTE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article XI of the Constitution of the
State of Texas be amended by adding a new Section 5(a) to said
Article XI, to read as follows:

"Section 5(a). Notwithstanding any other pro-
visions of this Constitution to the contrary, each
incorporated city, town, and village (hereinafter
called "municipal corporation") in this State, re-
gardless of population, is authorized to levy and
shall levy, and cause to be assessed and collected,
on all taxable property within its boundaries, annual
ad valorem taxes, without limit as to rate or amount
(in addition, if required, to all other taxes au-
thorized or permitted by this Constitution), which
will be sufficient to pay when due the principal of
and interest on all of its bonds and other interest
bearing obligations payable from ad valorem taxes
(hereinafter called "general obligations") issued
after the effective date of this amendment; provided,
that no general obligations (excepting those issued

for refunding purposes) may be issued by a municipal corporation if the aggregate principal amount of all of its general obligations to be outstanding after such issuance (excepting those, if any, which are to be refunded by the issuance of the proposed general obligations) would be in excess of ten percent of the assessed valuation of taxable property in the municipal corporation according to the then last completed and approved ad valorem tax rolls of the municipal corporation. This amendment is self enacting, but the general laws of this State not inconsistent with the provisions hereof shall govern the issuance of general obligations by municipal corporations."

Section 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on ^{FIRST TUESDAY AFTER FIRST MONDAY IN NOVEMBER} A , 1973, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to authorize cities, towns, and villages to levy such ad valorem taxes as are sufficient to pay the principal of and interest on their general obligations hereafter issued subject to the restrictions provided by law."

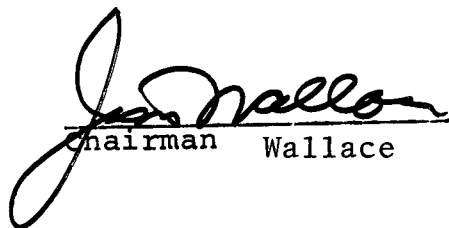
Austin, Texas

March 27, 19 73

Honorable William P. Hobby
President of the Senate

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS,
to which was referred SJR B. No. 29, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.


Chairman Wallace

CAS

A

April 18 1973 Engrossed
D. H. Roy
Engrossing Clerk

S.J.R. No. 29

SENATE JOINT RESOLUTION

1 proposing an amendment to Article XI of the Constitution of the
2 State of Texas by adding a new Section 5(a) to said Article XI,
3 to authorize cities, towns, and villages to levy such ad valorem
4 taxes as are sufficient to pay the principal of and interest on
5 their general obligations hereafter lawfully issued; placing
6 restrictions on the issuance of such general obligations; and
7 providing for the submission of said constitutional amendment to
8 a vote.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

10 Section 1. That Article XI of the Constitution of the State
11 of Texas be amended by adding a new Section 5(a) to said Article
12 XI, to read as follows:

13 "Section 5(a). Notwithstanding any other provisions of
14 this Constitution to the contrary, each incorporated city, town,
15 and village (hereinafter called 'municipal corporation') in this
16 State, regardless of ~~population~~, is authorized to levy and shall
17 levy, and cause to be assessed and collected, on all taxable
18 property within its boundaries, annual ad valorem taxes, without
19 limit as to rate or amount (in addition, if required, to all other
20 taxes authorized or permitted by this Constitution), which will
21 be sufficient to pay when due the principal of and interest on
22 all of its bonds and other interest bearing obligations payable
23 from ad valorem taxes (hereinafter called 'general obligations')
24 issued after the effective date of this amendment; provided that

1 no general obligations (excepting those issued for refunding
2 purposes) may be issued by a municipal corporation if the aggregate
3 principal amount of all of its general obligations to be
4 outstanding after such issuance (excepting those, if any, which
5 are to be refunded by the issuance of the proposed general
6 obligations) would be in excess of ten percent of the assessed
7 valuation of taxable property in the municipal corporation
8 according to the then last completed and approved ad valorem tax
9 rolls of the municipal corporation. This amendment is self
10 enacting, but the general laws of this State not inconsistent
11 with the provisions hereof shall govern the issuance of general
12 obligations by municipal corporations."

13 Sec. 2. The foregoing constitutional amendment shall be
14 submitted to a vote of the qualified electors of this state at
15 an election to be held on the first Tuesday after the first Monday
16 in November, 1973, at which election the ballots shall be printed
17 to provide for voting for or against the proposition: "The
18 constitutional amendment to authorize cities, towns, and villages
19 to levy such ad valorem taxes as are sufficient to pay the
20 principal of and interest on their general obligations hereafter
21 issued subject to the restrictions provided by law."

FORM B
COMMITTEE REPORT

Date May 10, 1973,

HONORABLE PRICE DANIEL, JR.

Speaker of the House of Representatives.

Sir:

We, your Committee on Intergovernmental Affairs, to whom was referred S.J.R. No. 29, have had the same under consideration and beg to report back with recommendation that it do pass, as amended.

The Committee recommends that this measure be considered for the Local and Consent Calendar.

House sponsor of Senate measure: Hutchison.

The measure was reported from Committee by the following record vote:

<u>11</u>	ayes
<u>0</u>	nays
<u>1</u>	present, not voting
<u>11</u>	absent


Chairman.

~~This measure proposes new law.~~

Committee on Intergovernmental Affairs

BILL ANALYSIS

Background Information:

It is felt that cities should have the authority to buy ad valorem taxes to pay the principal of an interest on bonds and other interests bearing obligations payable from ad valorem taxes issued.

What the Bill Proposes to Do:

S.J.R. No. 29 Proposes to Do: Authorize cities, towns, and villaes to levy such ad valorem taxes as are sufficient to pay the principal of an interest on their general obligations hereafter lawfully issued.

Section by Section Analysis:

Section 1. Amends Article XI of the Texas Constitution to: Authorize cities, towns and villages to levy ad valorem taxes to pay when due the principal of an interest on all of its bonds and other interest bearing obligations payable from ad valorem taxes issued after the effiective date of this amendment.

Section 2. Provides that this constitutional amendment is to be submitted to a vote on November, 1973.

Summary of Committee Action:

Public Hearing Notice on S.J.R. No. 29 was posted in a'ccordance with Rule VIII, Sec. 13

After a public Hearing on May 10, the Committee voted by a roll call vote of 11 ayes, 0 nays, 1 present not voting and 11 absent to report the bill back to the House favorably with the recommendation that it do pass, *As amended*

MAY 16 1973

DATE

READ AND ADOPTED

Joseph Hallman
Chief Clerk
House of Representatives

Committee Amendment No. 1

Hutchison
By Hutchison

1 Amend S. J. R. No. 29 by deleting Section 5(a), added by
2 Section 1 of the Resolution, and inserting therein a new Section
3 5(a) as follows:

4 "Section 5(a). Notwithstanding any other provisions of
5 this Constitution or any home rule city charter to the contrary;
6 each incorporated city, town, and village (hereinafter called
7 'municipal corporation') in this State, regardless of population,
8 is authorized to levy and shall levy, and cause to be assessed
9 and collected, on all taxable property within its boundaries,
10 annual ad valorem taxes at such rate and in such amount (in
11 addition, if required, to all other taxes authorized or permitted
12 to be levied by municipal corporations under this Constitution),
13 as will be sufficient to pay when due the principal of and
14 interest on all of its bonds and other interest bearing
15 obligations payable from ad valorem taxes (hereinafter called
16 'general obligations')/issued after the effective date of this
17 amendment; provided that no general obligations may be issued by
18 a municipal corporation in an aggregate principal amount exceeding
19 such limitations as may be established by the Legislature, and
20 the Legislature is hereby authorized to enact such general or
21 special laws, or both, as it shall deem appropriate to provide
22 and establish such limitations. However, unless other or
23 different limitations are provided by the Legislature for
24 municipal corporations by either general or special law, or both,
25
26
27

1 the limitations established by law with respect to the aggregate
2 principal amount of bonds which may be issued by independent
3 school districts in this State shall apply as the limitation
4 applicable to the amount of general obligations that may be
5 issued by municipal corporations hereunder. This amendment is
6 self enacting."
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

818
S.J.R. No. 29

March 1923
SENATE JOINT RESOLUTION

1 proposing an amendment to Article XI of the Constitution of the
2 State of Texas by adding a new Section 5(a) to said Article XI,
3 to authorize cities, towns, and villages to levy such ad valorem
4 taxes as are sufficient to pay the principal of and interest on
5 their general obligations as defined herein hereafter lawfully
6 issued; placing limitations on the amount of such general
7 obligations; and providing for the submission of said
8 constitutional amendment to a vote.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

10 Section 1. That Article XI of the Constitution of the State
11 of Texas be amended by adding a new Section 5(a) to said Article
12 XI, to read as follows:

13 "Section 5(a). Notwithstanding any other provisions of
14 this Constitution or any home rule city charter to the contrary,
15 each incorporated city, town, and village (hereinafter called
16 'municipal corporation') in this State, regardless of population,
17 is authorized to levy and shall levy, and cause to be assessed
18 and collected, on all taxable property within its boundaries,
19 annual ad valorem taxes at such rate and in such amount (in
20 addition, if required, to all other taxes authorized or permitted
21 to be levied by municipal corporations under this Constitution),
22 as will be sufficient to pay when due the principal of and interest
23 on all of its bonds and other interest bearing obligations payable
24 from ad valorem taxes (hereinafter called 'general obligations')

1 issued after the effective date of this amendment; provided that
 2 no general obligations may be issued by a municipal corporation
 3 in an aggregate principal amount exceeding such limitations as
 4 may be established by the Legislature, and the Legislature is
 5 hereby authorized to enact such general or special laws, or both,
 6 as it shall deem appropriate to provide and establish such
 7 limitations. However, unless other or different limitations are
 8 provided by the Legislature for municipal corporations by either
 9 general or special law, or both, the limitations established by
 10 law with respect to the aggregate principal amount of bonds which
 11 may be issued by independent school districts in this State shall
 12 apply as the limitation applicable to the amount of general
 13 obligations that may be issued by municipal corporations hereunder.
 14 This amendment is self enacting."

15 Sec. 2. The foregoing constitutional amendment shall be
 16 submitted to a vote of the qualified electors of this state at
 17 an election to be held on the first Tuesday after the first Monday
 18 in November, 1973, at which election the ballots shall be printed
 19 to provide for voting for or against the proposition: "The
 20 constitutional amendment to authorize cities, towns, and villages
 21 to levy such ad valorem taxes as are sufficient to pay the
 22 principal of and interest on their general obligations hereafter
 23 issued subject to the restrictions provided by law."

4-28-73
2-1-73

S.J.R. No. 29

President of the Senate Speaker of the House

I hereby certify that S.J.R. No. 29 was adopted by the senate on April 17, 1973, by the following vote: Yeas 22, Nays 7; May 18, 1973, senate concurred in house amendments by the following vote: Yeas 28, Nays 1, one present not voting.

Secretary of the Senate

I hereby certify that S.J.R. No. 29 was adopted by the house, with amendments, on May 16, 1973, by the following vote: Yeas 105, Nays 31.

Chief Clerk of the House

Approved:

Date

Governor

7-22
10-7-76

S.J.R. No. 29

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 29 was adopted by the senate on April 17, 1973, by the following vote: Yeas 22, Nays 7; May 18, 1973, senate concurred in house amendments by the following vote: Yeas 28, Nays 1, one present not voting.

Secretary of the Senate

I hereby certify that S.J.R. No. 29 was adopted by the house, with amendments, on May 16, 1973, by the following vote: Yeas 105, Nays 31.

Chief Clerk of the House

Approved:

6-11-73
Date

Signed
Governor

8:30 AM

JUN 11 1973

CLERK OF THE HOUSE

to be noted on
Nov. 6, 1973

Inaeger

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE XI OF THE CONSTITUTION OF THE STATE OF TEXAS BY ADDING A NEW SECTION 5 (a) TO SAID ARTICLE XI, TO AUTHORIZE CITIES, TOWNS, AND VILLAGES TO LEVY SUCH AD VALOREM TAXES AS ARE SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THEIR GENERAL OBLIGATIONS HEREAFTER LAWFULLY ISSUED, PLACING RESTRICTIONS ON THE ISSUANCE OF SUCH GENERAL OBLIGATIONS FOR THE SUBMISSION OF SAID CONSTITUTIONAL AMENDMENT TO A VOTE.

Filed with the Secretary of the Senate

MAR 8 1973

Read, referred to Committee on INTERGOVERNMENTAL RELATIONS

MAR 27 1973

Reported favorably.

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

* APR 10 1973

Senate and Constitutional Rules to permit consideration suspended by

20 years, 7 days

To permit consideration, reading and passage. Senate and Constitutional Rules suspended by vote of _____ years, _____ days.

APR 10 1973

Read second time and ordered engrossed

Caption ordered amended to conform to body of bill

Senate and Constitutional 3-Day Rules suspended by vote of _____ years, _____ days to place bill on third reading and final passage.

APR 17 1973

Read third time and passed by 22 years, 7 days

OTHER ACTION:

* APR 12 1973 Senate and Constitutional Rules to permit consideration failed by 18 yeas, 11 nays.

Charles Schnabel
Secretary of the Senate

APR 12 1973

Engrossed

APR 16 1973

Sent to HOUSE

Orlando Way
ENGROSSING CLERK

APR 19 1973

Received from
the Senate

Torothy Hallman
Chief Clerk, House of Representatives

READ FIRST TIME

AND REFERRED TO COMMITTEE ON

Intergovernmental Affairs

MAY 15 1973

Torothy Hallman
Chief Clerk, House of Representatives

MAY 11 1973

REPORTED FAVORABLY SENT TO PRINTER, AS AMENDED

PRINTED, DISTRIBUTED BY

REFERRED TO COMMITTEE ON

CALENDAR, MAY 30, 1973

Hines

Hines

Inside

AGR 29

MAY 16 1973

DATE amended
READ ~~AND~~ ADOPTED by recorded vote of 105 ayes,
31 noes
Donnelly Hallman
Chief Clerk
House of Representatives

MAY 16 1973 RETURNED TO SENATE

RETURNED MAY 16 1973
FROM HOUSE as
amended

MAY 18 1973
Senate concurred in House amend-
ments by viva voce vote.

MAY 18 1973 Motion to reconsider
vote on concurring in House
amendments by viva voce
vote.

MAY 18 1973
Senate concurred in House amend-
ments by the following vote: 28
yeas, 1 nays, 1 present
not voting.